DEWAN'S REPLY: Mr. Cantlay. In regard to that part of your representation which relates to destruction of wild elephants, I have to give you the same answer as was given to Mr. Wright.

As regards the other subject, namely, capturing operations for the last year or two, no capturing operations were conducted in the forest near the area which you mentioned because of the difficulty of getting fodder for the elephants. You have been there and you must know that in the last year or two, all the bamboos and *etta* were dried up, and it was very difficult to procure fodder for elephants. I believe at this time of the year conditions are slightly better and I shall consult the Conservator of Forests as to the possibility of starting capturing operations in the areas you have mentioned in the season this year or at least next year.

I am not satisfied from the reports of my officers that the number of elephants has very largely increased in our forests. It seems to me that one reason why the elephants are more frequently encountered than before is, as you yourselves suggest in your third point, that more forest land has now been brought under cultivation so that the area over which elephants wandered has become more and more confined, with the result that you meet with elephants oftener than you would if they were spread over a larger area.

I am not saying that definitely as a scientific conclusion; but I am only suggesting it. Elephants might have increased in number. The forest authorities do not consider that the increase is at any rate, large. I may say that elephant-capturing operations will be started as soon as it is possible; and you may rest assured that it is not Government's policy to leave these estates absolutely unprotected or refuse help to owners of estates when they complain that wild animals are molesting them and destroying their property. Government are always prepared to protect the estate owners' property as much as possible and Government hope that, when operations are taken up for the capture of elephants or for otherwise protecting those estates by the Forest Department or by Government, the owners of estates will render all possible help in that direction.

17. Defects in the working of the Police Department.

MR. T. K. PADMANABHA PILLAI (*Trivandrum taluk, Group* 1) said that the administration of the Police Department, as seen from the Administration Report for 1105, appeared to be fairly satisfactory. The strength of the Police force was adequate to meet the requirements. But the total value of property lost through crime rose from Rs. 71,250 in 1104 to Rs. 92,439 in 1105. The percentage of recovery in 1105 was only 33, while in the previous year it was 52. The fall must have been due to loss of efficiency of the force. It was hoped that the Commissioner of Police would exact the maximum

amount of work from the subordinate staff and the constabulary. Out of 3,010 cognisable cases, 666 were referred as false. The percentage of such cases was abnormally high. Whether the increase was due to the falsity of the charges or the inability of the Police to detect the offender and prove his guilt should receive the personal attention of the Commissioner of Police.

The policy of the department was to turn a deaf ear to complaints of offences under Section 324 of the Penal Code and advise the injured parties to prefer complaints to the Magistracy. It entailed great inconvenience and expense to the parties. It was on account of a circular order issued by the Commissioner that his subordinates refused to take up such cases. The circular should be withdrawn.

The figures relating to theft were alarming. Out of a grand total of 1,004 crimes, 900 were thefts in some form or other. Murder and culpable homicide were only 98 in number. The Administration Report furnished an analysis of the motives which actuated the commission of murder and the various implements used for committing murder. Such information was not of great use. Information regarding the nature of the cases of theft and the motives therefor would have been more useful. Further, some Sections of the Police Regulation appeared to have been forgotten in preparing the report. They were, for example, Section 33 (discontinuance of brothels) and Section 34 (destruction of stray dogs). Information regarding the nature of work done by the Police under the two Sections would have been of great interest to the public.

The control of the Police by the Magistracy was becoming a thing of the past. The Commissioner of Police should mix more often with the people and visit all the Police Stations at least once a year. There were stations which had not been visited by the Commissioner even once since his appointment. The policy of appointing graduates as Inspectors was a sound one; but Head Constables who knew the details of Police work and were competent enough to investigate cases should not be refused promotions.

It was desirable to appoint a special officer to be in charge of the traffic branch. The bus-stands were usually scenes of panic. Brokers and commission agents made the lot of passengers very miserable and the traffic constables often connived at their vagaries. In the case of motor offences, the offenders were punished by the criminal courts; but over and above such punishments, the Police Commissioner also took notice of their conduct by cancelling licenses. Such practice of awarding double punishments, for that was what it amounted to, should be stopped.

There were no definite rules in regard to the transfer of Police Officers. Sometimes, Police Inspectors were transferred twice during the course of four months. Such transfers should not be allowed.

DEWAN'S REPLY: Mr. Padmanabha Pillai. The general statements contained in your representations will be taken note of by the

department and by the Police Commissioner. There are one or two points raised by you on which I should like to say a few words. The first is in regard to a circular which you said was issued by the Police Commissioner. I believe that it is a matter which was placed before the public and the Government on a previous occasion. It was then found that it was a perfectly legal circular in spite of the Criminal Procedure Code and did not clash with the Sections of the said Code. The object with which that circular was issued was this. It is very often easy to go to a Police Station with a complaint of assault and it is very doubtful whether it is desirable that, on the basis of such a complaint, a police officer should have opportunities of interfering, say, in property disputes. Where there has been real and serious injury, the Police are taking action. The mischief that has been sought to be removed is that, when a man goes to a station and complains of assault on another man, the Police should not immediately take action without enquiring whether there has been real injury or not. I may assure you that that circular would be administered with careful reference to the interests of the public and in such a way as not to make the Sections of the Criminal Procedure Code you mentioned useless.

The other point is about license. When a man has been punished under the Motor Vehicles Regulation, you say, there must be an end of the matter. A motor driver does not cease to be capable of the offence with that one punishment. The possession of the license for driving allows him to continue driving rashly in congested places, leading to all sorts of accidents. So that, when, after a number of accidents, it is found that a driver does not improve, the best way of checking him is to cancel the license. He must not be allowed further opportunities of committing the offence. It is in that view, that is when a man becomes, as it were, a habitual offender, that the license is cancelled. Your representation will be noted.

18. Motor Licenses.

MR. A. J. WRIGHT (*Kanan Devan Planters' Association*) said that it was some years since he addressed the Assembly on the above subject. But his Association felt constrained to deal with the subject again as, in the interval which had elapsed, the number of licenses had increased so enormously that the conditions to which attention was then drawn had become greatly aggravated.

When the licenses were first required, it was not altogether wise to enact that all should fall due for renewal at the commencement of each Malabar year; for as they increased in numbers, very grave congestion was bound to occur until a position was reached when the renewal of some 8,000 licenses falling due on the same date was a sheer impossibility. Considerable delay therefore occurred in the renewal of the licenses.

It was satisfactory to note that proposals were under contemplation to alter the provision and to allow licenses to remain in force for